

REMARKS

Applicants respectfully request further examination and reconsideration in view of the following arguments. Claims 1-30 remain pending in the case. Claims 1-30 are rejected.

35 U.S.C. §103(a)

Claims 1-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over PCT Published Patent Application WO 00/30293 by Johnson et al., hereinafter referred to as the "Johnson" reference, in view of United States Patent No. 6,085,243 by Fletcher et al., hereinafter referred to as the "Fletcher" reference. Applicants have reviewed the cited references and respectfully submit that the combination of Johnson in view of Fletcher does not render the embodiments of the present invention as recited in Claims 1-30 obvious in view of the following rational.

Applicants respectfully direct the Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

A standalone intelligent device for coupling an electronic device to a network comprising:
a first interface for communicatively coupling said standalone intelligent device to said network, said network having a head end, wherein said head end is a central control site operable to remotely access said standalone intelligent device over said network;
a second interface comprising a plurality of communication ports for communicatively coupling said standalone intelligent device to a plurality of client devices at said plurality of communication ports such that said client devices are communicatively coupled to said network;
means for processing and interpreting data coupled to said first interface; and

fault detection means coupled to said means for processing and interpreting data, said fault detection means for performing fault detection in said network.

Independent Claims 11 and 21 recites similar limitations. Claims 2-10 that depend from independent Claim 1, Claims 12-20 that depend on independent Claim 11, and Claims 22-30 that depend on Claim 21 provide further recitations of the features of the present invention.

Johnson and the claimed invention are very different. Applicants understand Johnson to teach a hub device 102 for use in diagnosis and recovery in high performance digital loops (Abstract). In particular, Johnson teaches a hub device that includes interfaces for connecting the hub to stations, where one interface connects to a single station. Embodiments of the present invention include a “second interface comprising a plurality of communication ports for communicatively coupling said standalone intelligent device to a plurality of client devices.” Johnson fails to teach or suggest coupling a plurality of client devices at a communication interface, as claimed. It would be illogical to attempt to connect a plurality of devices at a single port of Johnson’s hub device.

Furthermore, with reference to Figure 2 of Johnson, a digital system 100 including a hub device 102 having two ports (port 1 and port 2) is shown. In particular, diagnostic arrangement 106 is comprised within hub 102 (page 5, lines 25-26, and lines 39-40). Diagnostic arrangement 106 is operable to monitor data flow between stations S1 and S2. Applicants respectfully assert that digital system 100 includes three devices: hub 102, station S1 and station S2. Specifically, Applicants assert that Johnson teaches that arrangement 106 is comprised within hub 102. While arrangement 106 may be used to diagnose

system failures outside of hub 102 (page 20, lines 34-40), arrangement 106 is integral to hub 102. Arrangement 106 is not a standalone device, as claimed.

In the Detailed Action accompanying the present Office Action, the Examiner asserts that Johnson discloses “an intelligent device 106 ... for coupling an electronic device (hub) [102] to a network (100)” (section 2). Applicants respectfully submit that Johnson teaches a digital system 100, which includes hub 102, which includes diagnostic arrangement 106. Specifically, Applicants assert that since diagnostic arrangement 106 is a component of system 100, port 1 of Johnson is not for communicatively coupling diagnostic arrangement 106 to system 100.

Furthermore, as stated by the Examiner, Johnson does not teach a network having a head end that “is a central control site operable to remotely access said intelligent device over said network,” as claimed. In particular, Johnson does not teach that diagnostic arrangement 106 is accessible over a network. In addition, Johnson fails to teach or suggest that arrangement 106 is a standalone device, as claimed. Johnson teaches that diagnostic arrangement 106 may be coupled to two stations S1 and S2. However, Johnson does not teach, describe or suggest that stations S1 or S2 are networks or are coupled to networks.

As described above, Johnson does not teach describe or suggest the embodiments of the present invention recited in Claims 1, 11 and 21. Moreover, the combination of Johnson and Fletcher fails to teach or suggest the claimed embodiments because Fletcher does not overcome the shortcomings of

Johnson. Applicants understand Fletcher to purport to teach a method and apparatus for distributed remote management for networks. Fletcher, alone or in combination with Johnson, does not show or suggest “means for processing and interpreting data coupled to said first interface; and fault detection means coupled to said means for processing and interpreting data, said fault detection means for performing fault detection in said network,” as claimed.

Furthermore, Fletcher teaches away from embodiments of the present invention by teaching “the actual data gathering and monitoring is being performed at the managed ESs”(column 8, line 66-column 9, line 1) The fault detection of the present invention, as claimed, is coupled to the first interface of the standalone intelligent device and not within the client device as taught by Fletcher. In addition, Fletcher teaches in column 6, lines 4-6 “these agents.... only capture and analyze packets that their native ES sends or receives.” This is very different from “means for processing and interpreting data coupled to said first interface,” and “performing fault detection in said network,” as claimed. With Fletcher, it would be impossible to perform a complete diagnostic of the network by only examining data sent and received at a single device. In contrast, the first interface of the present invention receives data from the entire network and can perform fault detection in the entire network, not just at a client device as with Fletcher.

Applicants respectfully assert that nowhere does the combination of Johnson and Fletcher teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claims 1, 11 and 21, that these

claims overcome the rejection under 35 U.S.C. § 103(a), and are in a condition for allowance. Therefore, Applicants respectfully submit that the combination of Johnson and Fletcher also does not teach, disclose or suggest the additional claimed features of the present invention as recited in Claims 2-10 that are dependent on allowable base Claim 1, Claims 12-20 that are dependent on allowable base Claim 11, and Claim 22-30 that are dependent on allowable base Claim 21. Applicants respectfully submit that Claims 2-10, 12-20 and 22-30 overcome the rejection under 35 U.S.C. § 103(a) as these claims are dependent on allowable base claims.

CONCLUSION

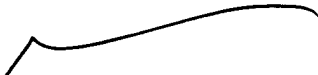
In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 1-30 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO L.L.P.

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John P. Wagner
Reg. No. 35,398

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060